

COMMITTEE ON LANDS AND BUILDINGS

May 22, 2002

5:00 PM

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Gatsas (late), Pinard, DeVries, Garrity

Messrs: J. Harrington, Mayor Baines, S. Tellier, J. Porter, D. Beauchesne

Chairman Thibault addressed Item 3 of the agenda:

Reconsideration of previous action to refer property to auction based on subsequent communication from the Department of Highway relative to a request of Alderman Osborne to construct a lane over city property at the intersection of Belmont and Massabesic Streets.

On motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted to table this item.

Chairman Thibault addressed Item 4 of the agenda:

Communication from Mayor Baines relative to requests for disposition of the City owned garages, and specifically requesting findings by the committee with respect to the Canal Street garage be reported to the Board by June 4, 2002.

Mayor Baines stated thank you for allowing me to speak for a couple of moments. As you know, there has been some discussion at the Board level about looking at the possibility of selling some of the garages in the City and I think there has been some feeling that perhaps the City should be taking some steps to get out of the garage business. I happen to think that that is the right way to go at this point in time. My feeling is that the most logical garage at this point in time to go out and entertain bids on selling would be the Canal Street Garage. As you know there has been some interest expressed in that particular garage and I think this might provide a unique opportunity for the City to alleviate itself from what I would consider a financial burden keeping in mind that there is a delicate balance in here. With the garages, you know, they are generally an investment that the City makes

in itself. We had some discussion last night around that, I believe. However, in this particular case we do have a property that is attached to that garage and I know the owners of that property have expressed an interest as well as additional people. My recommendation to the Committee would be to consider looking at putting that garage on the market for sale. I do not recommend at this time that we look at any of the other garages in that regard. It is my understanding in talking to staff that because of our particular arrangements the only other garage that would be eligible for sale at this time would be the Victory garage and I think we should be cautious in moving anywhere at this time beyond the Canal Street garage. That is my view on this matter. I know the staff will be here to answer any questions that you may have. I think that Jay understands the financing and the arrangements that were involved in those garages and also there is some debt service that is owed. We have also received appraisals. It would not be appropriate, obviously, for us to discuss appraisals in an open forum. That would be something that will happen in non-public session. I would like the Committee to seriously consider putting the Canal Street garage out for bid and ultimately selling that garage.

Alderman DeVries stated you said that you would advise that we proceed with caution in selling the Victory garage at this point. Can you elaborate on that at this time?

Mayor Baines replied I am concerned...the City does subsidize parking. Our rates are very low. In fact I was just reading on-line a little while ago that Nashua has increased the rates and that is causing a little concern. I would not want to be in a situation where the City was not able to leverage, if you will, a competitive advantage relative to parking with respect to the people who live and work and come downtown for shopping and to do business that we put parking into an area that would be a disadvantage to downtown. That would be my primary concern because private ownership of the garage, depending on the circumstance of the ownership, perhaps would not be in a position to subsidize parking in the way all municipalities do that own garages.

Alderman Pinard asked wouldn't it be appropriate for us to get an appraisal before we make a decision on whether or not we want to sell.

Mr. Taylor answered we do have appraisals for all three garages. As the Mayor indicated, however, it would not be appropriate to begin discussing those numbers in public because then if we did decide to go out everybody would know our hand.

Chairman Thibault stated what I would like to do is go into executive session and we can discuss it in executive session. It is not something that should be done publicly.

Alderman Pinard replied I realize that.

Mayor Baines asked Jay to explain the situation as to why some garages could be sold and others couldn't be.

Chairman Thibault stated I would like this Committee to go into executive session and I would ask the staff to come in and inform the Committee as to where we are at so we can make a decision.

Deputy Clerk Johnson stated it would be advisable that a motion be made to enter into non-public session under 91-A:3II(D), which is consideration of sale of property. We will need a roll call following that motion.

Alderman DeVries moved to enter into non-public session under 91-A:3II(D). Alderman Pinard duly seconded the motion. A roll call vote was taken. The motion carried unanimously.

Chairman Thibault called the meeting back to order.

Deputy Clerk Johnson stated the Clerk would note that the purpose intended for the non-public session is all that was discussed in non-public session. It is my understanding that there is a desire to dispose of the three parking garages and place them out to bid and request staff to report out to the full Board on June 4 for the methodology of disposition and minimum bid pricing.

On motion of Alderman Gatsas, duly seconded by Alderman Pinard, it was voted to express a desire to dispose of all three City parking garages, and ask staff to report to the full Board on June 4 as to the methodology of disposition and minimum bid pricing.

Chairman Thibault addressed Item 5 of the agenda:

Communication from Intown Manchester requesting to hold a series of concerts generally during the lunch hours in the plaza area of the City Hall complex.

On motion of Alderman Pinard, duly seconded by Alderman Garrity, it was voted to approve the request.

Chairman Thibault addressed Item 6 of the agenda:

Communication from Members First Credit Union of NH requesting to place an ATM machine in City Hall generally in the area of Ordinance Violations.

Deputy Clerk Johnson stated there is someone here from the Credit Union to answer questions.

Mr. John Harrington stated I am the Vice President of Finance at Members First Credit Union. The CEO of our Credit Union, Robert Nadeau, has been in discussions with the City Clerk regarding placing a cash-dispensing machine outside the Ordinance Office in the annex at City Hall Plaza. The primary purpose of such a machine would be for the convenience of our members doing business within City Hall. Secondly, the general public would also have use of the machine as well. The Credit Union will absorb all costs associated with installing and maintaining the machine. At this time we know that it is probably not a profitable venture for us. It is basically a convenience, like I said earlier, for our members and the general public. We would propose a monthly rental to the City of Manchester for the usage of the space, electricity and whatnot.

Chairman Thibault asked have you arrived at a figure.

Mr. Harrington answered we are thinking right now \$100 a month.

Alderman Gatsas asked is this a Credit Union that the employees of the City participate in.

Mr. Harrington answered yes.

Deputy Clerk Johnson stated it used to be in City Hall originally.

Alderman Gatsas asked what kind of liability is the City going to be at risk for.

Mr. Harrington answered we will assume all liability on the machine.

Alderman Gatsas asked what is the normal standard liability policy that we look for from a vendor.

Deputy Clerk Johnson answered it ranges from \$500,000 to \$1 million depending on how Harry views it. We also obviously would hold harmless the City and those kind of things. I think at this point if the Committee is interested in doing that

what we would suggest is that we work with the Solicitor's Office to prepare some sort of an agreement and come back to the Committee.

Chairman Thibault stated we could have Harry Ntapalis look at it and come back to this Committee with a recommendation.

Deputy Clerk Johnson replied the City Solicitor should look at it also.

Alderman DeVries asked is this the only location within City Hall that you identified.

Mr. Harrington answered yes. It was actually the recommendation of the City Clerk. That is where he would like to see the machine.

Deputy Clerk Johnson stated I think space is part of that issue.

Alderman DeVries asked obviously the hours of operation for restocking or whatever might be involved with the machine will be done during the normal hours of City Hall, correct.

Mr. Harrington answered yes it will be strictly during City Hall business hours.

Alderman DeVries stated I might also recommend that we have the security person weigh in on it.

Alderman Gatsas asked has this come about as a request from employees or is this just a Members Credit Union attempt to get an ATM in.

Mr. Harrington answered one of the individuals on our Board of Directors, Judy Walsh-Heminger works for the City. She is not actually on our Board of Directors but she is on our supervisory audit committee. She had approached our CEO, Robert Nadeau, regarding the possibility of putting a machine in City Hall and that is really how the whole process got started.

Alderman Gatsas asked I assume this is for some sort of a long-term plan and not just something that we are going to put in and see if it works and then take it out in three months.

Mr. Harrington answered correct.

Alderman Gatsas asked what sort of commitment.

Mr. Harrington answered that is totally up for negotiation. The Credit Union is not...obviously we are investing the capital in the machine itself and the installation of it. We would certainly want to commit long-term to that.

Alderman Gatsas asked so it is coming back to this Committee anyway right.

Chairman Thibault answered yes.

Alderman DeVries moved to refer this issue to the Solicitor, Risk Manager and Security Manager. Alderman Pinard duly seconded the motion.

Chairman Thibault called for a vote. There being none opposed, the motion carried.

Chairman Thibault addressed Item 7 of the agenda:

Communication from Terry Casey, President of Standing Room Only, LLC, requesting permission to operate his stand in the City Hall plaza area; subject to meeting any other license requirements.

Alderman Pinard asked is that the same hot dog vendor that we had last year.

Deputy Clerk Normand answered it is the same vendor that has been here for the last three years.

On motion of Alderman Pinard, duly seconded by Alderman Gatsas, it was voted to approve the request.

Chairman Thibault addressed Item 8 of the agenda:

Communication from Katia Lapointe inquiring about possible disposition of City property located on Hartt Avenue Tax Map 484 Lot 29 near her property at 72 Peabody Ave.

Deputy Clerk Johnson stated the Tax Collector is here and I know there was an issue relative to the ownership actually of the property. We were having problems clearing that earlier and I don't know if that has been resolved. We may need to table this item.

Ms. Joan Porter stated I think most likely the best thing would be to table it. The Assessors and I have been working on it since last Friday when we found out about it. We can't determine ownership. We did tax deed it in the 1940's and it looked as though someone purchased it back from us but our computers are showing that the City owns it again and we can't find out how that happened. There is definitely confusion on this and we are trying to trace the records and find out when we got it back and how.

On motion of Alderman Gatsas, duly seconded by Alderman Pinard, it was voted to table this item.

Chairman Thibault addressed Item 9 of the agenda:

Reconsideration of action relative to Tax Map 0492, Lot 5 and Lot 6 formerly referred to auction, however, Water Works has indicated that the City should hold this property.

Deputy Clerk Johnson stated I did have some discussions with Water Works and if there are some questions I can attempt to answer them.

Alderman Gatsas asked what is the value of it.

Deputy Clerk Johnson answered Lots 5 and 6 were actually considered a buildable lot so we were putting them out as a non-conforming buildable lot initially.

Chairman Thibault asked do you have a value on it.

Deputy Clerk Johnson answered no the Assessors hadn't given us one since the last meeting.

Chairman Thibault called Steve Tellier forward. Do you know what the value of these lots are?

Mr. Tellier stated at the time where we ascribed a value to a substantial portion of the ones that were requested by the City Clerk we did not ascribe a value to this because it was being reviewed by Water Works. We didn't have a request for those two lots. Water Works was looking at it. I guess there was an impact to some sort of stream or access and until they got it square away that they did, in fact, want it, it was put aside as pending. I don't have an opinion of value from our department on those two lots. Those are the notes that I have from all of the ones we have been considering to date.

Alderman Pinard asked didn't Parks & Recreation want to take two of these lots for access to the ballpark.

Mr. Tellier answered those are different parcels. It is the same area but these are different.

Alderman Gatsas asked can you just tell me...I haven't looked through the packet but we are on Item 9. Do we have values for the rest of these?

Mr. Tellier answered most of these I do, we believe. Some of them have particular requests pending. We have been working on a substantial amount of these.

Alderman Gatsas asked so this is not the only one that does not...are there others that do not have a price.

Mr. Tellier answered yes. In looking at the agenda, the lot that Alderman Pinard was referring to being 492, Lot 20, initially that was being researched as a possible access to a park that the neighborhood had been using. It was further determined, I believe by Parks & Recreation, as not necessary. I can't speak for the City Clerk. I believe they found that it is a non-conforming buildable lot.

Deputy Clerk Johnson stated it is another one of the non-conforming buildable lots. That one, however, has a severe drop-off.

Mr. Tellier replied we only just realized that they did make a determination that they did not need that access because they had a substantial access already and we would have a letter forthcoming on an opinion of value. I could give one verbally at this time. I am prepared to give on in the range of probably \$20,000 to \$25,000.

Deputy Clerk Johnson asked are you talking about Lot 20.

Mr. Tellier answered yes if it is, in fact, a non-conforming buildable lot as determined by the Building Department. That would be a starting range for that property.

Chairman Thibault asked are we still on Item 9 here.

Mr. Tellier answered no we have gone further. I am just talking verbally, however, I would have to follow that up in writing for this Committee. We do have quite a bit of this addressed.

Deputy Clerk Johnson asked can we go back to Item 9. I just want to bring the Committee up-to-date on a discussion that I had with Water Works. Originally, these two parcels were requested by an abutter and when we had reviewed them we had determined that it was a non-conforming lot together, Lots 5 and 6, so we felt that it should go out to bid because the City...I mean obviously the abutter could buy it but somebody else might have an interest as well. In the interim, Water Works had reviewed the land and it is sitting in ledge and there is water that runs through that area down into something that feeds something ultimately. In my discussion most recently with Tom Bowen and that was basically through e-mail, he asked what the City would be doing with it and I said that there had been some...I would presume that if the City was going to turn it over to Water Works they would expect that Water Works would pay something for it. Then the question came up as to whether it would be the land value or the back taxes. I think my understanding was that they were willing to pay for it and actually put it as an ownership by Water Works and retain it that way if it was going to be for back taxes. Beyond that I think they wanted to know exactly what the value was going to be before they could commit to anything but they did have a concern about the property being disposed of.

Alderman Pinard moved to give the land to Water Works.

Deputy Clerk Johnson asked as for the back tax amount. Water Works wants it and it is an entity of the City more or less and I guess we could state it as justifiable cause if it, in fact, contains water going to it. I believe that you would want to not give it to them but at least have them pay the back taxes on it and clear the tax with interest.

Chairman Thibault stated one other thing I would like to bring out is that if we give it to Water Works we no longer get taxes from it. Let's look at that, too.

Deputy Clerk Johnson replied that is true.

Chairman Thibault stated I think this Committee should look at that first and let's find out what the Water Works real need for this land is. Do they need it or don't they?

Deputy Clerk Johnson replied they have indicated that they would prefer to hold it rather than the City dispose of it, yes. They have indicated that the City should not dispose of the property. One way or the other, the City should retain it.

Alderman DeVries moved to table this item and get the assessed value from the City Assessor's Office. Alderman Pinard duly seconded the motion.

Chairman Thibault called for a vote on the motion. There being none opposed, the motion carried.

Chairman Thibault addressed Item 10 of the agenda:

Discussion of Map 0441 Lots 3, 4, 6A and 9A being referred back to Committee by the Clerk. Based on subsequent information provided by the Highway Department the following actions should be considered:

- a) Tax Maps 0441, Lots 3 and 4 should be considered surplus to City needs and ordered to auction at a minimum bid to be determined by the Board of Assessors;
- b) the request of Brian and Leslie Duplessis to purchase Map 01441, Lot 9A should be denied and such property should be retained by the City and assigned to the Highway Department overview for utilization relating to the interceptor system as may be required now and in the future;
- c) Map 0441, Lot 6A should be retained by the City and assigned to the Highway Department for utilization relating to the interceptor system as may be required now and in the future;
- d) the Highway Department should be directed to notify the Committee on Lands and Buildings should such properties previously referenced be found surplus to the department's needs.

Deputy Clerk Johnson stated these were the properties that were bordering the Velcro property. After we had submitted or were ready to submit the report to send it to auction, the Highway Department realized that part of those parcels were related to the Interceptor project so they were deciding that perhaps the City should be holding those. As a result we are bringing it back with a recommendation of what we felt the Committee should find that Lots 3 and 4 should be considered surplus to the City and ordered to auction at a minimum bid to be determined by the Board of Assessors based on value. The request of Brian and Leslie Duplessis to purchase Lot 9A should be denied and the City should retain it by the City and assign it to the Highway Department for overview for utilization relating to the Interceptor system as may be required now and in the future and that the Highway Department should be directed to notify the Committee on Lands and Buildings should such properties be found surplus to the department's needs in the future. These were taken by eminent domain originally for the Interceptor project.

Alderman Garrity asked Lot 3 and 4 combined, is that two buildable lots.

Deputy Clerk Johnson answered they are landlocked parcels, however, there are abutters in the area and we are presuming if we put it out to bid that those abutters will have an interest in it, either Velcro for conservation where there fence runs along that particular area and there are I believe two other property owners that about that area. Obviously if they don't get a minimum bid it will be back to the Committee to determine what else you might want to do with it.

Alderman Garrity asked are they buildable lots.

Deputy Clerk Johnson answered they are not accessible to a roadway so I would have to say no.

Alderman DeVries moved to sell Lots 3 and 4 and retain Lots 6A and 9A for future Interceptor projects. Alderman Garrity duly seconded the motion.

Chairman Thibault called for a vote. There being none opposed, the motion carried.

Chairman Thibault addressed Item 11 of the agenda:

Communication from Christian Silvestri requesting disposition of 7.2 acres on Woodbury Street, Map 332 Lot 1-A.

Alderman Smith stated that is wetlands and I think Jane Beaulieu and the Conservation Commission found that out. It is in the Carisbrooke area and where the mall is up above. It is a wooded area that was deeded to Parks. It is definitely wetlands.

Chairman Thibault asked are we talking about where Stackey's Florist was.

Alderman Smith answered no Woodbury Street where Carisbrooke is and where the mall is right across from Sully's. There is a wooded area right across the street.

Deputy Clerk Johnson stated there are two options. One obviously would be to deny the request but in addition you could leave it as retained as park land or you could request the Conservation Commission to review it to determine whether or not they would have an interest in holding that in perpetuity.

Alderman Gatsas asked what is the value.

Chairman Thibault asked, Steve, do you have a value on that.

Deputy Clerk Johnson stated we didn't request any value because of the fact that it was parkland.

Mr. Tellier replied that property is adjacent presently to ball fields and it is substantially wetlands. It is a year round marsh area. It abuts very active City parks by Wolfe Park.

Alderman Lopez stated there are some lots over there by Wolfe Park that they have been trying to develop. It is a recreational area and the reason this land was given to Parks is because of development. If development ever went in that particular area it would be really bad for the entire park situation over there. My recommendation to the Committee is to consider what the Aldermen did in 1995 and retain it as parkland.

Alderman Garrity moved to receive and file.

Deputy Clerk Johnson stated we would actually need to advise that the request is being denied.

On motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted to deny the request.

Chairman Thibault addressed Item 12 of the agenda:

Follow-up discussion relating to Tax Map 0492, Lot 20.

Deputy Clerk Johnson stated the minimum bid would actually be the \$20,000 figure that was submitted by the Board of Assessors.

Alderman Pinard moved to find the property surplus to City needs and order it to public auction as a non-conforming buildable lot with challenging land features at a minimum bid of \$20,000. Alderman Garrity duly seconded the motion.

Alderman Gatsas asked what is the size of the lot.

Mr. Tellier stated it is 150' x 100'.

Alderman Gatsas asked each one of them.

Deputy Clerk Johnson answered there is only one lot there and it has a substantial drop on it.

Mr. Tellier stated I have a copy of the map that I brought with me. There are three what we call pencil lots. There are three 20' wide sections that comprise that lot going back approximately 125'. It is 60' x 125'.

Alderman Gatsas asked how come we don't have that information in front of us.

Deputy Clerk Johnson answered you do.

Alderman Gatsas asked can you tell me where it is.

Deputy Clerk Johnson replied it is listed as Groveland Avenue. If you look at Item 12 and you go to the vision card, a copy of the vision card...

Mr. Tellier interjected I have a small copy of the map.

Alderman Gatsas asked how am I going to know that is three 20' sections by looking at that. Why wouldn't we have the map? I guess that is the question. I think that from now on if we can get a copy of the map...the vision card doesn't do us any good without the map.

Mr. Tellier answered we will see that we do that in the future.

Chairman Thibault called for a vote on the motion. There being none opposed, the motion carried.

Chairman Thibault addressed Item 14 of the agenda:

Communication from Margaret Probish, Sheehan Phinney Bass & Green, requesting the City accept a deed to a parcel of land owned by their client as the owner cannot justify payment of such a large tax bill for property landlocked that the owner has never used.

Mr. Tellier stated in looking at this I would like to submit a copy of the map. I brought it here for your convenience. I did some research. The outline of the letter is accurate, however, it abuts a significant portion of private residences. I don't know that the owner of this property has approached the abutters to dispose of this lot on their own and we do not have an appeal in the form of an abatement

request so this was news to us. We haven't had any correspondence with this owner nor any representative of this owner nor do I know that they have made any effort to dispose of this parcel of property to the abutters. I will offer a copy of the map that I brought with me to show the location and the circumstances outlined.

Chairman Thibault asked is it something that maybe the Assessors could approach these people or how would we handle this.

Mr. Tellier answered usually they are on their own. It is fee simple owned. Lot 41 is this land locked parcel here that is locked by the highway buffer area. Front Street is here and these are all of the abutters. There would very likely be interest by the abutters to have some additional property.

Alderman Garrity asked who is the owner of the property.

Mr. Tellier answered Braverman Realty who is now dissolved into something else. I don't have any other information besides what was presented here. This is news to me.

Deputy Clerk Johnson stated in response to your question, Mr. Chairman, typically staff has advised the Committee and the Board not to accept the property that is being donated unless there is a reason for the City specifically to take it for conservation purposes or parkland or some other reason that is justifiable.

Alderman Thibault asked would you suggest that we just let it lay and these people find a method of disposing of this land on their own.

Deputy Clerk Johnson answered you could receive and file it or state that you have no interest in taking the property or accepting the property, however, you would suggest that they discuss their assessment with the Board of Assessors obviously and to suggest that they might want to approach some of the abutting land owners to see if anybody is interested in their property. Beyond that, the City has no interest in it.

Chairman Thibault asked how do they get notification of this. Are you going to send them a letter?

Deputy Clerk Johnson answered if the Committee takes that action we will, yes.

Chairman Thibault asked is that behind Interstate Equipment.

Mr. Tellier answered no; it is behind Amoskeag Beverage and just before Dunbarton Road on the left-hand side. I am sure that parking is a consideration on that street.

Alderman Gatsas asked where is the golf course.

Mr. Tellier answered about a mile and a half north. Just above this is the rotary, the Amoskeag Traffic Circle.

Alderman Gatsas asked so this is the store then.

Mr. Tellier answered I believe that is the store, correct. Blackbrook comes right out here and this is where it dumps into the Merrimack River. This is that little tributary that you see and not far down the road are the four radio towers.

Alderman Gatsas asked who owns this in between, the State.

Mr. Tellier answered this would be the State I would assume.

Alderman DeVries asked do we have any other individuals here who wanted to address us that have background.

Alderman Gatsas asked what is it zoned.

Mr. Tellier replied I can't answer that.

Mr. David Beauchesne stated I am with the Planning Department. It is zoned R-1B. Apparently from the letter that the City got the aim of purchasing the property in the first place was for placement of highway billboard, which is ruled out by the zoning so they are looking to get out of that situation in general it appears. I do have a different map if you are having difficulty locating the property on the other map.

Alderman Gatsas asked why wouldn't we want to take this and sell it.

Deputy Clerk Johnson answered typically the City has taken the position because you have had a lot of people approach the City in the past who have landlocked parcels that they want the City to just take over because they don't want to pay taxes on something that they can't use or do anything with although they have purchased them for a variety of reasons over the years...the position the City has taken in the past is unless there is a reason for the City to take the property and keep it, there is no reason to accept a donation of property that you are not going to be able to do anything with either. Ultimately if they don't pay the taxes then

you will get it through tax deed, but that obviously is going to affect their credit or whatever else is out there as well.

Alderman DeVries stated I am wondering where that is so close to the Everett Turnpike if there would be any reason to check with DOT to see if they would have a desire to purchase it or want it held for future plans.

Deputy Clerk Johnson replied we could certainly refer them there as well.

Chairman Thibault stated so maybe we should refer it to these people and also to the State. Is that what you are saying?

Deputy Clerk Johnson replied unless you are going to accept the property, you need to tell them that you don't want to accept the property and I think that at the same time you should tell them that they need to contact the Board of Assessors. Their issue is they are paying a high property tax on something they can't utilize for what they bought it for. If they think that the assessment is out of line they should be calling the Board of Assessors and dealing with it as that and not asking the City to just take it because they don't want to pay the taxes on it.

Chairman Thibault asked do we know what the taxes are.

Deputy Clerk Johnson answered I believe it is stated in the letter. It says, "taxes were increased from \$304 to \$2,874." The valuation went from \$9,400 to \$120,000. Obviously, if he had filed something with Assessors I believe that there may have been something that could have been done about that tax bill.

Mr. Tellier stated should they be referred to the Board of Assessors, we would certainly look at this on a point of a review of the assessment. Again though we don't have any appeal from them from when the bill came out and here we are almost a year after the effective tax date and we have a letter to the full Board. There has been no communication to our office.

On motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted to receive and file this item, and request a letter be forwarded referring the owner to the Board of Assessors in relation to the assessed value, and the Department of Transportation and abutters regarding possible disposition.

Chairman Thibault addressed Item 13 of the agenda:

Communication from Lynn Wilson offering to donate Map 0497, Lot 0007

on Hobart Street.

On motion of Alderman DeVries, duly seconded by Alderman Garrity, it was voted to refer the offer to the Conservation Commission for review and report relative to whether the land should be preserved for public conservation purposes.

TABLED ITEMS

17. Request of Crystal Lake Preservation Association relating to various lots on Tax Map 506.

On motion of Alderman DeVries, duly seconded by Alderman Pinard, it was voted to remove this item from the table.

Alderman DeVries stated these would be properties as discussed at our last meeting that are currently tax deeded to the City. These are wetlands that are directly abutting Crystal Lake and also part of the package that is being considered for the DOT's possible award for the mitigation of the I-93 widening. We are looking at this point to send these properties to the Conservation Commission for their advice on getting them into conservation for perpetuity.

Alderman Gatsas stated I don't think we should do that until the DOT has made the decision on what they are going to do with mitigation.

Alderman DeVries replied the response to that would be that it might enhance their consideration on that project if there were additional lands around it already in conservation. As you are well aware, that is such a tenuous discussion...you know there are lands that need to go into conservation by one means or another. They aren't the lands that they are actually looking to purchase with that mitigation, they are just part of the package that was expanded to make that more appealable to EPA.

Chairman Thibault asked so you would like us to send a letter to the DOT.

Alderman Gatsas moved to table the item.

Alderman Garrity asked why do you want to leave it on the table.

Alderman Gatsas replied because of the DOT mitigation situation that we have. There is no reason for us to move it to Conservation until they make their decision.

Alderman DeVries responded except that these properties being in conservation might enhance the possibility of receiving that.

Alderman Gatsas replied I think if they are going to do it, it doesn't matter whether it is in conservation or not and I just don't think we want to tie our hands at that point by putting them in conservation.

Alderman DeVries responded they are properties that need to go into conservation one way or the other. They are totally wet, non-buildable properties.

Alderman Gatsas replied right but we can do that at any time. There is nothing that is stopping us from doing it at a later date once they have made their decision.

Deputy Clerk Johnson stated the difference would be that the City would receive funding and if it was Conservation Commission then the City would not receive funding.

Alderman DeVries stated I don't think the City will actually receive compensation. Well, it is difficult to say. They are not part of the actual package that DOT is looking to compensate us for but the expanded, enhanced version to make it more palatable to them. It was pointed out that they are already deeded to the City so it is not going to have a dollar sign attached to it as part of that package if they do the rest of the conservation in that area.

Alderman Gatsas replied no but we would still be relinquishing whatever right if we deed it over. I don't think it is going to change it. We can either do it today or we could do it in six months once the DOT has completed their mitigation process and whether the funds are being distributed.

Alderman DeVries responded I understand what you are saying but I don't understand when you say that we are deeding over whatever right. What do you mean by right?

Alderman Gatsas replied because it goes to the Conservation Commission and if they are going to disperse money on the land the City wouldn't get it, the Conservation Commission would get it.

Alderman DeVries responded no it would stay City deeded. It is just that they would make the appropriation that yes they are wet and they should go...maybe I misunderstand that process. I thought the City still maintained the deed and the Conservation Commission just weighed in. If we send this to the Conservation Commission at this time, Carol, and ask them to look at whether these are properties that should be in perpetuity in conservation do they maintain ownership of the parcels?

Deputy Clerk Johnson replied no. You could have the Conservation Commission review it. Leave it on the table and while it is on the table request that the Conservation Commission at least look at it. Then when they come back with their report the Committee can then leave it on the table or proceed with whatever.

Alderman DeVries duly seconded the motion to place the item back on the table while referring it to the Conservation Commission.

Chairman Thibault called for a vote on the motion. There being none opposed, the motion carried.

Communication from John Emery regarding 258 Salmon Street.

Deputy Solicitor Arnold stated you can take Item 15 off the table. Pursuant to statute, Atty. Emery who represents the client has stated that they have repurchased the property.

On motion of Alderman Garrity, duly seconded by Alderman Pinard, it was voted to remove this item from the table.

On motion of Alderman Garrity, duly seconded by Alderman Gatsas, it was voted to receive and file this item.

16. Communication from Lucille Stevens, Chairman of Concerned Taxpayers of Manchester seeking information regarding the current financial status of a building in the Millyard which houses the FIRST Program.

Deputy Clerk Johnson stated the Committee has requested us to forward you all of the information. It has been on the table since August 2001.

This item remained on the table.

There being no further business, on motion of Alderman Garrity, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee